

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: **Paul A. Hyde** Docket No.: **BUR920030094US1 (IBMB-0033)**
Serial No.: **10/605,861** Art Unit: **2812**
Filed: **10/31/2003** Examiner: **Lindsay, Jr., Walter Lee**
TITLE: LADDER-TYPE GATE Conf. No.: **2860**
STRUCTURE FOR FOUR-TERMINAL
SOI SEMICONDUCTOR DEVICE

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COMMISSIONER FOR PATENTS

DESTINATION FACSIMILE NUMBER: **703-872-9306**

Transmitted herewith is: **Restriction Election in 2 pages**

in the above identified application.

- No additional fee is required.
- The Commissioner is hereby authorized to charge and credit Deposit Account No. 09-0456 (IBM) as described below.
 - Credit any overpayment.
 - Charge any additional fee required.

Spencer K. Warnick
Spencer K. Warnick, Reg. No. 40,398

DATE: August 18, 2004

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office on the date shown below.

Jennifer Desbiens
(Person transmitting this correspondence)

Jennifer Desbiens
Signature

August 18, 2004

Date

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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RESTRICTION ELECTION

Sir:

In response to the Restriction Requirement mailed August 10, 2004, Applicant hereby elects Group I, claims 1-6 and 15-20, with traverse.

Regarding the Restriction Requirement, it is respectfully submitted that the subject matter of all claims 1-20 is sufficiently related that a thorough search for the subject matter of any one of the claims would encompass a search for the subject matter of the remaining claims. Thus, it is respectfully submitted that the search and examination of the entire application could be made without serious burden. See MPEP §803, in which it is stated that “[i]f the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to independent or distinct inventions” (emphasis added). It is respectfully submitted that this policy should apply to the present application in order to avoid unnecessary delay and expense to Applicant and duplicative examination by the Patent Office.

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If the Examiner believes that any further discussion of the invention would be helpful, perhaps in the form of an Examiner's Amendment, Applicant's representative is available at (518) 449-0044, and earnestly solicits such discussion.

Respectfully submitted,



Spencer K. Warnick
Reg. No. 40,398

Date: August 18, 2004

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